

EDWARDS & ANGELL

Counsellors at Law

Site: Davis Liquid
Break: 11.9
Other: 639858
TRANSFERRAL ALTERNATES

Huebner

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June 6, 1988

Merrill S. Hohman, Director
Waste Management Division
U.S. Environmental Protection Agency
J.F. Kennedy Federal Building
Boston, MA 02203-2211

Re: Davis Liquid Waste Site - Hoechst Celanese
Corporation

Dear Mr. Hohman:

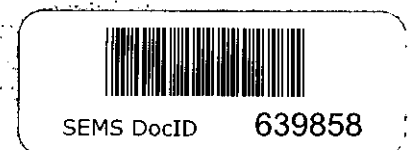
This is in reply to your letter dated May 12, and received by Hoechst Celanese on May 16. In that letter EPA offered companies it identified as allegedly responsible parties the opportunity of undertaking installation of a water line. The deadline for responding was May 15, a Sunday, and a date three days after EPA's letter itself was dated. Obviously, Hoechst Celanese Corporation could not make any response within that wholly unrealistic time frame. EPA's letter also offered the PRPs the opportunity of undertaking additional remedial work, if they made a good faith offer by June 15.

In its May 12 letter, EPA provided a "summary of evidence" which it contends supports identification of Hoechst Celanese Corporation as a PRP. No back-up documentation was provided. By letter dated January 31, 1986, EPA sent a letter to American Hoechst indicating that at that time EPA believed American Hoechst to be a PRP with respect to the Davis Liquid Landfill Site. In response to that letter, we attended a meeting, and at that time requested information documenting or supporting the contention that American Hoechst, now Hoechst Celanese, had disposed of hazardous waste at the Davis Liquid Landfill site. We received no such documentation.

RECEIVED

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WASTE MANAGEMENT DIVISION



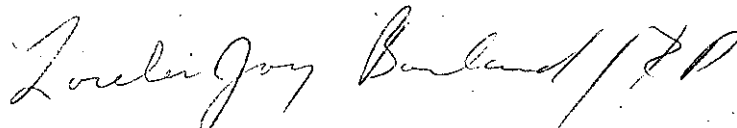
By letter dated January 31, 1986, we received a Request for Information, which we responded to by letter dated February 26, 1986. In our response to the 104E Request for Information, we indicated that we had no information concerning disposal of any waste or substances at the Davis Liquid Waste site, and indicated that we had never arranged for transport of any waste or substances to this site. In that letter, we requested again information in EPA's possession indicating that Hoechst's waste was disposed of at the Davis Liquid Waste site. We again requested such supporting documentation, which would include, according to EPA's summary of the evidence, a copy of Mr. Davis' response to EPA's 104E information request.

A thorough review of our records fails to disclose any relationship with the Davis Site. Hoechst Celanese Corporation has a history of cooperating with EPA and taking appropriate action at sites, when there is a reasonable basis to believe any hazardous materials generated by Hoechst Celanese Corporation were disposed of at that site. We have no basis to make that determination with respect to the Davis Site.

In order to respond in good faith we request, pursuant to the Freedom of Information Act, that EPA provide us with copies of any responses to Section 104(e) Requests for Information EPA has in its possession relating to this site; copies of statements and depositions indicating that hazardous materials from Hoechst Celanese Corporation were disposed of at Davis, and copies of any other documents relating to disposal of hazardous materials by Hoechst Celanese Corporation at Davis.

When we have had an opportunity to review these documents, we will be in a position to discuss this site with EPA.

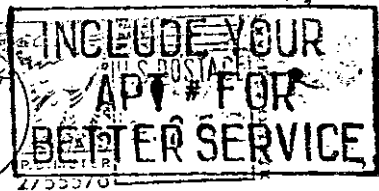
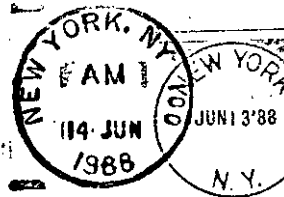
Sincerely,

A handwritten signature in cursive script, reading "Lorelei Joy Borland / JPB".

Lorelei Joy Borland

LJB:ek

EDWARDS & ANGELL



Merrill S. Hohman, Director
Waste Management Division
U.S. Environmental Protection Agency
J.F.Kennedy Federal Building
Boston, MA 02203-2211

430 Park Avenue
New York, New York 10022



H5

ROUTING AND TRANSMITTAL SLIP

Date

6/21/88

TO: (Name, office symbol, room number, building, Agency/Post)

Initials

Date

1. *Rose, Tascano*

2. *Dr. B. B. B.*

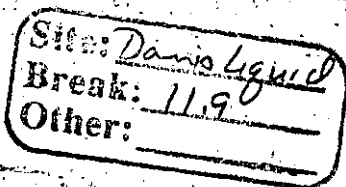
3.

4.

5.

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS



DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

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Phone No.